

~~14788-001PGT/PTO 28 MAR 2006~~

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

38147-0025US

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/523,714

INTERNATIONAL APPLICATION NO.
PCT/US2003/024587

INTERNATIONAL FILING DATE
6 August 2003 (06.08.2003)

PRIORITY DATE CLAIMED
6 August 2002 (06.08.2002)

TITLE OF INVENTION

METHODS OF DOWN REGULATING TARGET GENE EXPRESSION IN VIVO BY INTRODUCTION OF INTERFERING RNA

APPLICANT(S) FOR DO/EO/US

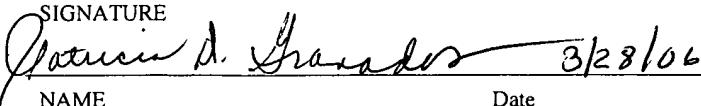
Puthuppampil V, SCARIA, Martin C. WOODLE, Patrick Y. LU, Qingquan TANG, Jun XU, and Frank Y. XIE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. had been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825
18. A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: Request for Extension of Time; copy of Notice (dated 9/15/05)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(e)) 10/523,714	INTERNATIONAL APPLICATION NO. PCT/US03/24587	ATTORNEY'S DOCKET NUMBER 38147-0025US																
21. The following fees are submitted:		CALCULATIONS PTO USE ONLY																
<input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee\$200.00 <input type="checkbox"/> c) Search fee.....\$500.00																		
TOTAL OF ABOVE CALCULATIONS =		\$																
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		\$																
<table border="1"> <thead> <tr> <th>TOTAL SHEETS</th> <th>EXTRA SHEETS</th> <th>NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>-100 =</td> <td>/50 =</td> <td></td> <td>x \$250.00</td> </tr> </tbody> </table>		TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE	-100 =	/50 =		x \$250.00									
TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE															
-100 =	/50 =		x \$250.00															
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00																
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>45- 20 =</td> <td>25</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>3- 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> <td></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	45- 20 =	25	x \$50.00	Independent claims	3- 3 =	0	x \$200.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE															
Total claims	45- 20 =	25	x \$50.00															
Independent claims	3- 3 =	0	x \$200.00															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00																
TOTAL OF ABOVE CALCULATIONS =		\$ 130.00																
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$ 65.00																
SUBTOTAL =		\$ 65.00																
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))																		
		+																
TOTAL NATIONAL FEE =		\$ 65.00																
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <u>\$40.00 per property</u>																		
		+																
TOTAL FEES ENCLOSED =		\$1,770 (EOT, excess claims)																
03/31/2006 ATRAN1 00000144 10523714		Amount to be refunded: \$																
01 FC:2017 65.00 OP 02 FC:2015 625.00 OP		Amount to be charged: \$																
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 1,770.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment To Deposit Account No. <u>08-1641</u> A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																		
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																		
SEND ALL CORRESPONDENCE TO:																		
HELLER EHRMAN LLP 1717 Rhode Island Avenue, N.W. Washington, DC 20036 Customer No. : 26633																		
SIGNATURE  NAME _____ Date _____ Patricia D. Granados 3/28/06																		
REGISTRATION NUMBER 33,683																		

COMBINED FEE TRANSMITTAL for FY 2005

Effective 12/08/2004. Patent fees are subject to annual revision.

PTO/SB/17 (12-04) (Revised) (For payment of 37 CFR 1.17 fees including (f), (g), (h), & (i))

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,770.00)

Complete if Known

Application Number	10/523,714
Filing Date	February 7, 2005
First Named Inventor	Puthupparampil V. SCARIA et al.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	38147-0025US

METHOD OF PAYMENT (check one)

<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input type="checkbox"/> Deposit Account				

Deposit Account Number: 08-1641

Deposit Account Name: Heller Ehrman LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below
- Credit any overpayments and charge any deficiencies
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the deposit account

FEE CALCULATION (continued)

4. PETITION FEES UNDER 37 CFR 1.17 (f) Fee Code: 1462 Fee \$ 400 For petitions filed under: § 1.53(e); § 1.57(a); § 1.182; § 1.183; § 1.378(e); § 1.741(b)	Fee Paid
5. PETITION FEES UNDER 37 CFR 1.17 (g) Fee Code: 1463 Fee \$ 200 For petitions filed under: § 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25	Fee Paid
6. PETITION FEES UNDER 37 CFR 1.17 (h) Fee Code: 1464 Fee \$ 130 For petitions filed under: § 1.19(g); § 1.84; § 1.91; § 1.102(d); § 1.138(c); § 1.313; § 1.314	Fee Paid
7. PROCESSING FEES UNDER 37 CFR 1.17 (i) Fee Code: 1808 (1803 for § 1.221) Fee \$ 130 For petitions filed under: § 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(e); § 1.103(b); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81	Fee Paid

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		Entity Fee (\$)	Entity Fee (\$)	Fee Description		Fee Paid
	Filing Fees	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)			Surcharge - late filing fee or oath		
Application Type	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	50	25	Surcharge - late provisional filing fee or cover sheet		
							130	130	Non-English specification		
Utility	300	150	500	250	200	100			2,520	2,520	For filing a request for <i>ex parte</i> reexamination
Design	200	100	100	50	135	65			920*	920*	Requesting publication of SIR prior to Examiner action
Plant	200	100	300	150	160	80			1,840*	1,840*	Requesting publication of SIR after Examiner action
Reissue	300	150	500	250	600	300			120	60	Extension for reply within first month
Provisional	200	100	0	0	0	0			450	225	Extension for reply within second month
	SUBTOTAL (1)		\$				1,020	510			65

2. EXTRA CLAIM FEES

Entity Fee (\$)	Small Entity Fee (\$)	Fee Description		Entity Fee (\$)	Entity Fee (\$)	Fee Description		Fee Paid
50	25	Each claim in excess of 20 or, for Reissues, each claim in excess of 20 and more than in the original patent		500	250	Surcharge - late provisional filing fee or cover sheet		
200	100	Each Independent claim in excess of 3 or, for Reissues, each independent claim more than in the original patent		920*	920*	Filing a brief in support of an appeal		
360	180	Multiple dependent claim, if not already paid		1,840*	1,840*	Requesting publication of SIR prior to Examiner action		
				1,510	1,510	Filing a submission after final rejection (37 CFR 1.129(a))		
				1,510	1,510	Petition to institute a public use proceeding		
				500	250	Extension for reply within fourth month		1,080
				2,160	1,080	Petition to revive - unavoidably abandoned application		

Total Claims	45	-20** =	25	x	25	=	625	
Independent Claims	3	-3** =	0	x	100	=		

Multiple Dependent	180	=						

SUBTOTAL (2) \$ 625

Total Sheets	Extra Sheets	Number of each additional 50	Fee (\$)	Small Entity Fee (\$)	SUBTOTAL (4+5+6+7+8)		\$ 1,145.00
-100 =	/50 =		x 250	OR	x 125		

SUBTOTAL (3) \$

* Reduced by Basic Filing Fee Paid

SUBMITTED BY					Complete (if applicable)	
Name (Print/Type)	Patricia D. Granados	Registration No. (Attorney/Agent)	33,683		Telephone	202-912-2000
Signature	<i>Patricia D. Granados</i>	Date	3/28/04		Customer No.	26633


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,714	Puthupparampil V Scaria	38147-0025US
		INTERNATIONAL APPLICATION NO.
		PCT/US03/24587
		IA. FILING DATE PRIORITY DATE
		08/06/2003 08/06/2002
CONFIRMATION NO. 8393 371 FORMALITIES LETTER  *OC000000016956849*		

Date Mailed: 09/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/07/2005
- Copy of the International Search Report filed on 02/07/2005
- U.S. Basic National Fees filed on 02/07/2005
- Priority Documents filed on 02/07/2005
- Specification filed on 02/07/2005
- Claims filed on 02/07/2005
- Abstracts filed on 02/07/2005
- Drawings filed on 02/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$625** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of **\$65** for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$690** for a Small Entity:

- **\$65 Surcharge.**
- Total additional claim fee(s) for this application is **\$ 625**
 - **\$625 for 25 total claims over 20.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,714	PCT/US03/24587	38147-0025US

FORM PCT/DO/EO/905 (371 Formalities Notice)